

AO 440 (Rev. 8/01) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

District of

MASSACHUSETTS

MEYNARD DESIGNS, INC. AND EARTH  
VISIONS INC.

## SUMMONS IN A CIVIL ACTION

V.  
EARTH PRODUCTS INC.

CASE NUMBER: 05 cv 11781 NMG

TO: (Name and address of Defendant)

Philippe Meynard  
Planet, Inc.  
135 Second Avenue  
Waltham, MA 02451

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Steven M. Bauer, Esq.  
Kimberly A. Mottley, Esq.  
PROSKAUER ROSE LLP  
One International Place  
Boston, MA 02110

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SARAH A. THORNTON



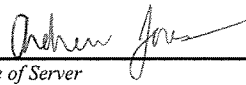
AUG 16 2006

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <b>August 16, 2006</b>	
NAME OF SERVER (PRINT) <b>Andrew Jones</b>	TITLE <b>Process Server</b>	
<i>Check one box below to indicate appropriate method of service</i>		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <b>Planet, Inc.</b> <div style="text-align: right; margin-right: 50px;"><b>135 Second Ave. Waltham, MA 02451</b></div> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____  <input type="checkbox"/> Returned unexecuted:  <input type="checkbox"/> Other (specify): _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL <b>\$0.00</b>
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u><b>August 17, 2006</b></u> <u></u>  <div style="display: flex; justify-content: space-around; width: 100%;"> <span>Date</span> <span>Signature of Server</span> </div>   <div style="text-align: right; margin-right: 50px;"><u><b>11 Beacon St. #720 Boston, MA 02108</b></u>            Address of Server</div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.